

TOWN PLAN & ZONING COMMISSION

REGULAR MEETING

October 24, 2013

Chairman Barry Berson called the meeting of the Town Plan & Zoning Commission to order at 7 P.M. in Council Chambers at Bloomfield Town Hall.

Present: Barry Berson, Abraham Ford, Fannie Gabriel, Pamela Gray, Charlotte Gregg, Alfred LeFebvre, Byron Lester, Elene Needelman, Nicholas Panke, and Barbara Reid

Thomas Hooper, Director of Planning

1. Call to order.

Commissioner Berson called the meeting to order at 7 P.M.

2. Approval of September 26, 2013 minutes.

Commissioner Needelman moved approval, Commissioner Panke seconded and it carried unanimously.

3. Application of Salvatore Carrabba for a Special Permit to allow a medical marijuana production facility at 6 Britton Drive, I-2 zone.

Commissioner Panke noted that he was a former employee of the owners of the facility but presently he has no business or financial interest in the company. He believes he can sit on this application but asked if any Commissioners disagreed he would step down. The consensus of the Commission was that there was no objection.

Commissioner Lester read the legal notice. Chairman Berson explained the procedures for the meeting.

Sal Carrabba of Nascent Sciences explained his company had applied with the Department of Consumer Protection, State of Connecticut to be a marijuana producer, which is a competitive process. He said he did not want any detriment to the town or neighbors, and he owns the building. He is proposing cosmetic and security changes to the building. The state requires a high level of security and there will be limited access. The marijuana is grown, processed, packaged, sealed and sent to one of the five dispensaries in the state. The goods will be transported in an armored vehicle.

Mr. Hooper noted that the Commission previously determined that this would require a special permit, and discussed the requirements for approval as stated in the Zoning Regulations. There seems to be little impact on the environment and traffic. He recommended the site be brought up to current standards regarding handicap parking.

There were no questions from the audience.

In response to questions from the Commission, Mr. Carrabba noted that there will be employees present seven days a week; there will be a horticulturist on staff; the state will be able to view the facility and electronics through cameras; and the demand may be several thousand pounds per year.

Commissioner Panke moved to close the public hearing, Commissioner Gray seconded and it carried unanimously.

Commissioner LeFebvre moved to approve the application pursuant to the public hearing and staff reports, Commissioner Gabriel seconded and it carried unanimously.

4. Application of Glenn Korner for a Special Permit and Revised Site Plan to allow outside storage of equipment and materials at 73 West Dudley Town Road, I-2 zone.

Glenn Korner explained that he owned a business at 75 West Dudley Town Road, which is a heavy and highway contractor, which does a lot of work for the Metropolitan District Commission. He has obtained a wetlands permit. He wants to store piping materials and site equipment for his business.

Mr. Hooper asked what would be stored. Mr. Korner said loaders, bulldozers, haul trucks, sand and gravel. He mentioned plantings, fencing and berms for screening was on the proposed site plan. Mr. Hooper stressed that screening be sufficient.

There were no questions from the audience.

In response to questions from the Commission, Mr. Korner said he has no plans to build anything; the storage was temporary in that he would like to build something when financially feasible; and two-thirds of the property would be gravel, on which things would be stored.

Commissioner Lester moved to close the public hearing, Commissioner Gabriel seconded and it carried unanimously.

Commissioner Panke moved to approve the application subject to the map presented and staff comments, especially concerning types of storage and screening, Commissioner Gabriel seconded and it carried unanimously.

5. Application of Attorney Leonard Jacobs for a Special Permit and Revised Site Plan to allow a place of worship at 11 Mountain Avenue, BCD zone.

6. Application of Attorney Leonard Jacobs for a Flood Management Permit to allow a place of worship at 11 Mountain Avenue, BCD zone.

Attorney Dave Barry of Jacobs, Walker, Rice & Barry stated he was representing Lighthouse for Humanity, Inc. They are proposing a space for public assembly for religious purposes on the middle level of the building. The only exterior change will be a handicap ramp, which he believes will not impact the floodplain. They are planning to buy the building, which is in foreclosure, and it is expected that most of the tenants will remain.

John Clark, an architect with John Clark Associates, explained the proposed changes to the building. He said the aluminum ramp, which would be covered by what is thought to be an aluminum-framed fabric canopy, would have minimal impact on the wetlands. In response to the Town Engineer's comment regarding the stability of the ramp, he said there would be hurricane tie-downs at every segment of the ramp.

Mr. Hooper said the Town Engineer is requesting that any structure there would be able to withstand running water. Mr. Hooper had concerns about handicap access due to ADA requirements, and the fact that it would serve only the second floor.

In response to a question from Commissioner Panke, Boykor Yurdakul, who is a part of Lighthouse, explained that children would receive religious instruction after school and on the weekends.

Commissioner Panke expressed concern regarding the appropriateness of the site in terms of the Plan of Development and mixing uses in the building. Commissioner Needelman was concerned about the efficacy of the handicap ramp. Commissioner Ford thought this site was not a good fit for the use and had concerns about the safety of the ramp. Commissioner LeFebvre was concerned about the potential cost should the federal government force the owner to install an elevator. Commissioner Reid expressed concern about the ramp. Commissioner Berson thought the ramp was not a good solution for accessibility.

In response to comments from the Commission, Attorney Barry said Lighthouse was under contract to buy the building and would honor the current leases. He thought the ramp would improve the building by making it partially accessible.

Commissioner Panke moved to close the public hearing, Commissioner Gabriel seconded and it carried unanimously.

Commissioner LeFebvre moved to approve the application for special permit pursuant to staff comments, Commissioner Lester seconded and it failed 3 to 4, with Commissioners Berson, Lester and LeFebvre voting in favor.

Mr. Hooper noted Section 9.5.E.2.d of the Zoning Regulations, which contains the criteria for special permits, and thought the Commission had offered the lack of adaptability of the structure for the use for denial. Commissioner Ford said his reason was the lack of the long-term viability of the ramp.

Mr. Hooper reiterated that the floodplain application concerned the location of the handicap ramp, which staff thought would have minimal impact.

Commissioner Panke moved approval of the application for floodplain management, Commissioner Gabriel seconded and it carried 4 to 3, with Commissioners Ford, Gregg and Lester voting against.

Commissioner Berson stated that the special permit had been denied without prejudice and the applicant was welcome to return with a different solution that addresses accessibility.

7. Discussion re: medical marijuana dispensary location.

Commissioner Berson referenced a map that showed a 1000-foot radius of schools and places of worship. Mr. Hooper noted that the only location available for a dispensary in the Gateway District would be the area near Maplewood Avenue and the west side of Blue Hills Avenue. There were also spotty areas near the center. He said an amendment to the Zoning Regulations would be necessary. Mr. Hooper thought the dispensaries would be located in the major urban areas. It was the consensus of the Commission not to proceed with a change to the Zoning Regulations.

Mr. Hooper said there were two items he would like placed on the agenda—(1) possible sale of property at 97 Granby Street, and (2) an easement request from River Bend Associates to locate a Farmington River Power Company easement across the police firing range on Mustad Drive.

Commissioner Berson added the items to the agenda.

8. 8-24 Review of the sale of 97 Granby Street.

Mr. Hooper said that the Town had demolished the building, cleaned up the site and had remediated this long-vacant property. He recommended the sale because the Town does not have a productive use for the property.

Commissioner Panke voted to recommend the sale of 97 Granby Street to the Town Council, Commissioner Gabriel seconded and it carried unanimously.

9. 8-24 Review of the inclusion of a new power line easement at 300 Mustad Drive, the present Police firing range.

Mr. Hooper showed the area on a map. The easement is necessary for the Amazon project in Windsor. He believes this will free up a parcel for development in Bloomfield as well.

Commissioner Lester moved to recommend the easement at 300 Mustad Drive to the Town Council, Commissioner Gabriel seconded and it carried unanimously.

Mr. Hooper and Commissioner Berson thanked Commissioner Gregg for her service, as this is her last meeting.

10. Adjournment.

Commissioner Gabriel voted to adjourn the meeting at 9:20 P.M., Commissioner Gray seconded and it carried unanimously.

Respectfully Submitted,

Helen Durfee